



1642

ATTORNEY'S DOCKET No.: 2003080-0081 (SK-719-Z)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Danishefsky *et al.*  
Serial No.: 09/833,327  
Filed: April 12, 2001  
For: COLON CANCER KH-1 AND N3 ANTIGENS

Examiner: Canella, Karen A.  
Group Art Unit: 1642

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

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OCT 25 2002  
TECH CENTER 1600/2900

**TRANSMITTAL**

In response to the Office Action mailed by the U.S. Patent and Trademark Office on September 16, 2002, enclosed please find the following:

- 1) Response to Election of Species Requirement (2 pages); and
- 2) Return Postcard.

Additionally, please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

Nadège M. Lagneau, Ph.D.  
Reg. No.: 51,908

Date: October 16, 2002

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on October 16, 2002



ATTORNEY'S DOCKET No.: 2003080-0081 (SK-719-Z)

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Election #8  
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Canella, Karen A.

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Washington, DC 20231

Sir:

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

This Response to Election of Species Requirement is submitted in response to the Office Action mailed on September 16, 2002 for the above-identified application. The deadline for response to the Office Action is October 16, 2002, and thus Applicant respectfully submits that the filing of this response on October 16, 2002 is timely.

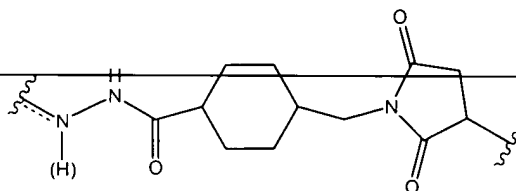
***Response to Restriction Requirement:***

As set forth in the Office Action, election of a single disclosed species for each of A-C below is required:

- A) species of "R" group for each of claims 110 and 116,
- B) species of "r", "m" and "n" for each of claims 110 and 116, and
- C) species of "r" for claim 112.

In response to the Election of species requirement, Applicant hereby elects:

A) for each of claims 110 and 116, "R" is the [linker]-[crosslinker]<sub>q</sub>-carrier moiety; wherein the linker is  $-(CH_2)_s-CH_2-$  or  $-(CH_2)_s-CH=$  where  $s$  is an integer between 0 and 8; wherein the crosslinker is selected from the group consisting of a succinimide and an M<sub>2</sub> linker having the structure:



wherein q is 0 or 1; and wherein the carrier is a protein, peptide or lipid, and is optionally chemically modified prior to conjugation with the linker when q is 0, or with the crosslinker when q is 1;

B) for each of claims 110 and 116, r is 1, m is 0 and n is 1; and

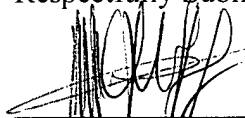
C) for claim 112, r is 1.

Claims readable on the elected species are claims 108, 109, 110, 111, 114, 115, 116, 117, 118 and 119.

Applicant would like to thank Examiner Canella for careful review and consideration of this case. If a telephone conversation would help clarify any issues, or help expedite prosecution of this case, Applicant invites the Examiner to contact the undersigned at (617) 248-5150.

Please charge any fees that may be required, or credit any overpayment, to our Deposit Account No. 03-1721.

Respectfully Submitted,



Nadège M. Lagneau, Ph.D.  
Reg. No.: 51,908

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